



**CITY OF SANTA BARBARA
CREEKS RESTORATION/WATER QUALITY IMPROVEMENT
CITIZENS ADVISORY COMMITTEE MINUTES**

REGULAR MEETING

June 17, 2009

David Gebhard Public Meeting Room, 630 Garden Street

CALL TO ORDER

Chair Moldaver called the meeting to order at 5:31pm.

ROLL CALL

Committee members present: Chair Moldaver, Michael Jordan, Roger Schlueter, George Weber, Daniel Wilson

Committee members absent:

Liaison members present: Park and Recreation Commissioner Daniel Hochman

Liaison members absent: Councilmember Iya Falcone, Planning Commissioner John Jostes

Staff present: Creeks Restoration/Clean Water Manager Cameron Benson, Water Resources Specialist Jill Murray, Creeks Program Assistant Liz Smith

APPROVAL OF MINUTES

Mr. Wilson requested that the minutes be amended to note that he questioned the legality of discussing using Measure B funds for beach grooming in regards to the Brown Act.

Motion:

Committee members Wilson/Schlueter to approve the minutes of the special meeting of May 13, 2009 as amended.

Vote:

Voice vote 4/0; Jordan abstained.

AGENDA ADJUSTMENTS

Mr. Benson asked whether the Committee would like to appoint a liaison to the Upper Las Positas Creek Restoration Project stakeholders group, and reported that the first meeting will take place Tuesday, June 23rd at 2:00pm in the Gebhard Room, with meetings every other week through the construction of the project.

Mr. Moldaver appointed Mr. Jordan as the Committee liaison, and Mr. Wilson as the alternate.

PUBLIC COMMENT

No one wished to speak.

COMMITTEE MEMBER AND STAFF COMMUNICATIONS

None.

MANAGER'S REPORT

Mr. Benson reported that the Creeks Division participated in the World Ocean Day Festival on Saturday, June 6th at the Ty Warner Sea Center on Stearns Wharf, and held a Marine Debris Forum on Monday, June 15th at Cabrillo Pavilion featuring Dr. Marcus Eriksen and Anna Cummins of the Algalita Marine Research Foundation; and, that staff will be tabling at the Summer Solstice Festival at Alameda Park on Saturday, June 20th.

Mr. Benson reported that the Creeks Division is participating in two regulatory processes with the Regional Water Quality Control Board as part of the Federal Clean Water Act, including the Triennial Review of the Central Coast Region Basin Plan, and the Proposed 2008 List of Impaired Water Bodies on the Central Coast (303(d) List). As part of the update process, the Regional Board requests public comment from interest individuals, and the Creeks Division submitted comments on behalf of the City.

The City's Basin Plan Update comments focused on total maximum daily load (TMDL) regulatory process, particularly for bacteria. The 303(d) list is a list of impaired waters that do not meet water quality standards, which is used for further water related regulation, and staff comments addressed broad policy considerations as well as particulars of proposed listings and delistings.

Mr. Benson reported that the Upper Las Positas Creek Restoration and Storm Water Quality Improvement Project construction contract was approved by Council on June 2nd, and that staff expects to break ground on Monday, June 29th.

Committee members asked whether the letters to the Regional Board are posted online; and, what area the Central Coast Region Basin includes.

Mr. Benson reported that both letters are posted online with the Committee packet; and, that the Central Coast Region Basin generally includes Monterey County, most of San Luis Obispo County, and Santa Barbara County.

SUBCOMMITTEE REPORTS

None.

Mr. Wilson noted that he has been hearing radio advertisements about clean water, restoration, and education, and that they are excellent quality advertisements that have been well placed and well read.

9. BUSINESS ITEMS

a. Laguna Watershed Study and Water Quality Improvement Feasibility Analysis

Recommendation:

That the Committee receive a presentation of the Final Report on the Laguna Watershed Study and Water Quality Improvement Feasibility Analysis.

Documents:

Staff Report – June 2009
Power Point Presentation – June 2009

Speakers:

Jill Murray, Water Resources Specialist

Committee Questions/Discussion:

Committee members asked questions regarding the discrepancy in the amount of water entering and leaving the lagoon; how far ocean water would go if the tide gates were removed or left open during normal to high tides; to what extent salt water might reduce the amount of indicator bacteria if the tide gates were left open; where a proposed treatment system would be located; why well water is ending up in the storm drain system; and, whether there has been testing to see if the fence at Yanonali Street has improved water quality.

Ms. Murray reported that groundwater may be pulled by sumps under the freeway, but that the question on the amount of water entering and leaving the lagoon is unresolved; that a study was done by the Public Works Department to redo the pumps, and information on ocean levels may be available there; that even if salt water killed indicator bacteria or bacterial signals, it wouldn't necessarily kill the viruses that can cause illness; that the proposed treatment system would be on the outfall end, where the creek water is already pumped out of a concrete channel; that well water that ends up in the storm drain has not been high enough quality to be used for drinking water, but not contaminated enough to require being sent to the sanitary sewer; and, that initial testing does include a site below the new fencing at Yanonali Street, but that there have not been enough samples to do a before and after statistical test of the fence's effectiveness.

Mr. Benson added that based on visual observations, there is still some trash coming through the pipe under the freeway or being thrown over the fence, but that there has been no evidence of human waste in or next to the water, or evidence of encampments.

Mr. Jordan expressed that ideally he would prefer not to rely on end of pipe treatment, and that he hopes that staff will continue to investigate upstream pollution sources; and, that the site is currently very unsightly, and he hopes that staff will take into account the long term vision of improving the appearance of the area and removing the concrete.

Committee members asked questions regarding the physical sources of human bacteria marker; and, the timing of sampling related to the installation of the fence.

Ms. Murray reported that one potential source staff has investigated is dumping by recreational vehicles, which has been explored and partially ruled out, and that there is the possibility of leaks from sewer lines running above storm drains, as well as laterals hooked up incorrectly, and staff is looking into additional methods for investigation.

Mr. Benson reported that all sampling was done from July through September, 2008, and the fence was installed in October 2008.

Committee members asked questions regarding the salinity of the samples; and, if groundwater is contaminated, whether sea water is being pumped.

Ms. Murray reported that the salinity levels in the samples were not unusual for storm drains in our area; and, that the groundwater is contaminated with hydrogen sulfide, which will be removed once it goes online to be treated and used as drinking water.

Public Comment:

Mr. Moldaver noted that Mr. Brian Trautwein of the Environmental Defense Center submitted an email to Mr. Benson expressing interest in the study and stating his general reluctance to use UV treatment, but recognizing the special nature of the Laguna Watershed being a highly managed and urbanized, mostly piped drainage; and, urging continued source tracking while considering end of pipe treatment.

Committee Questions/Discussion:

Committee members asked questions regarding a research point on possible changing of methodology for determining beach warning criteria, and whether it was considered in the cost benefit analysis; whether the recommended project would change if the beach warning criteria were changed; whether the annex yard diversion repair issue was discovered as a result of this testing; and, whether there is an ongoing process to find issues with installations.

Ms. Murray reported that the EPA has committed to revising criteria by October 2012 and are doing additional studies and reviewing the accepted risk level to swimmers, but the potential change in methodology was not explicitly included in the cost benefit analysis; that if the beach warning criteria were changed, the project recommendation would remain the same; that the annex yard issue was brought forth by the study process; and, that all Creeks Division installations are maintained very actively.

Mr. Benson reported that the Creeks Division installed the diversion system in the annex yard that overflows to the storm drain, and discovered it was getting clogged, and that staff is working with several City departments to address the issue. Mr. Benson noted that staff is learning over time that it is difficult to maintain below ground manufactured filters, and prefer best management practices and structural treatments that are above ground and visible, and that as they are installed on City and private property, staff is gaining additional knowledge about their effectiveness and maintenance requirements.

b. Water Quality Monitoring and Research Program Update and Fiscal Year 2010 Research Plan

Recommendation:

That the Committee receive an update on the Water Quality Monitoring Program, including information on wildfire impacts to water quality, and concur with the staff recommendation to implement the proposed Research Plan for Fiscal Year 2010.

Documents:

Staff Report – June 2009
Power Point Presentation – June 2009

Speakers:

Jill Murray, Water Resources Specialist

Committee Questions/Discussion:

Committee members asked questions regarding how the source tracking grant report in 2010 relates to the budget cycle; whether toxicity tests were duplicated or one sample per location; whether staff will recommend continuing with toxicity testing; whether staff can provide evidence consistent with what the Regional Board requires to remove creeks from the 303(d) List; and, the relationship between foam and polycyclic aromatic hydrocarbons (PAHs).

Mr. Benson reported that there is some funding available in the Capital budget for the bacterial reduction program to begin developing a design of a project that comes from the grant, and that there is also the ability to use reserve funds if necessary.

Ms. Murray reported that toxicity testing was done with one sample per location, and that when doing first flush sampling, staff is looking for the worst case scenario; that staff does not recommend toxicity testing during dry weather, but will continue during storm sampling, first flush sampling, and some storm drain sampling; that the 303(d) listing of Mission Creek was based on an anecdote of a fish kill in the 1990s with no samples or data collected, and that to be delisted requires 28 samples, of which no more than 2 can exceed toxicity criteria, and that the Creeks Division and the Regional Board have collected a combined total of more than 20 samples, of which none have exceeded criteria; and, that in some areas slurry sealing of streets and parking lots leads to PAH discharges, and that staff will be simulating rainfall with a bucket or hose to test for PAHs over the summer and look into developing new testing methods.

Mr. Weber encouraged staff to consider publishing results on post fire sampling and effects on watersheds and the ocean.

Mr. Moldaver suggested a potential partnership with Bren School graduate students at UCSB.

Ms. Murray reported that staff has discussed publishing results, but feel that it would be an inappropriate use of Measure B funds, but that staff encourages hired consultants to publish their work, that some work produced from partnerships with UCSB has been published, and that staff has partnered with USGS in Denver on fire related testing, which will be published.

Committee members asked whether the proposed dollar amount is within the recommended Fiscal Year 2010 budget; and, whether fire related testing is justifiable since there is no way to prevent or control a fire or prevent ash from ending up in the storm drains, creeks, and ocean.

Mr. Benson reported that the dollar amount is already included in the budget the Committee recommended to Council.

Ms. Murray reported that the Creeks Division is not conducting extensive fire related testing, but that if a problem were to arise that could be directly attributed to the fire, it eliminates staff time and funding spent looking for another explanation.

Mr. Benson added that fire related testing is a very small portion of the overall water quality plan, and that the City is charged with monitoring surface water quality for human health and aquatic health, that the cost of compliance with the Clean Water Act regulations can be considerable, and if regulations are based on outlier years associated with unusual events

like wildfires, staff needs to know the impacts in order to effectively prioritize issues with regulators.

Committee members asked questions regarding the cost of staffing associated with fire related testing; what the City's position on pesticides is; whether there has been communication or collaboration with the Agricultural Commissioner's office, or a UCSB research project evaluating pesticides used in the City;

Mr. Benson reported that the staff cost is not available now, but that staff will provide the cost when presenting the annual report.

Ms. Murray reported that staff has not found problems with pesticides in water quality sampling, and zero detections in herbicides and pesticides in sediments except for in the Bird Refuge, and that staff will continue to test for pyrethroids in sediments; that an intern worked on pesticide use, but was not related to water quality sampling, and that although it is being used in the City, it is not found regularly in runoff.

Public Comment:

No one wished to speak.

Motion:

Committee members Jordan/Weber to concur with the staff recommendation to implement the proposed Research Plan for Fiscal Year 2010.

Vote:

Unanimous voice vote.

ADJOURNMENT

Motion:

Committee Members Weber/Wilson to adjourn.

Chair Moldaver adjourned the meeting at 6:58pm.

Respectfully submitted,

Cameron Benson
Creeks Restoration/Clean Water Manager